

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence for Application No. 10/777,870 is being electronically transmitted to Technology Center 2169 via EFS-WEB, on July 16, 2010.

/Scott A. Stinebruner/
Scott A. Stinebruner, Reg. No. 38,323

July 16, 2010
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Dennis Steven DeLorme et al.	Art Unit:	2169
Application No.:	10/777,870	Examiner:	Paul Kim
Filed:	February 12, 2004		
For:	METHOD FOR SUPPORTING MULTIPLE FILESYSTEM IMPLEMENTATIONS		

Mail Stop Appeal Brief - Patents
Commissioner for Patent
P.O. Box 1450
Alexandria, VA 22213-1450

SUPPLEMENTAL APPEAL BRIEF

Sir:

This paper is submitted in reply to the Notice of Non-Compliant Appeal Brief dated June 29, 2010, within the one month period for response. The Appeal Brief filed June 15, 2010 was objected-to because the Summary of Claimed Subject Matter section allegedly did not map independent claims to the specification by page and line number. Accordingly, a replacement section is provided below. Pursuant to MPEP 1205.03, a complete replacement brief is not provided herewith. Therefore, please substitute the Summary of Claimed Subject Matter section of the original Appeal Brief with the following replacement section:

V. SUMMARY OF CLAIMED SUBJECT MATTER

Applicant's invention is generally directed to a filesystem conversion process for converting from one filesystem type to a different filesystem type, which does not require shutting down the filesystem to perform the conversion. Page 5, Lines 2-8. The invention

ensures that all objects within the filesystem are converted and, from the perspective of a user, does not impact the performance and operation of the filesystem. *Id.* Filesystem types specify what information is stored for a filesystem object (e.g., a file, a directory), how that information is formatted, and how that information is arranged. Page 12, Line 20 to Page 13, Line 13. This information is typically referred to as metadata. *Id.*

During normal operation of the computer system, the operating system and applications work together to invoke processes and routines that are aware of the underlying filesystem type and available metadata in order to properly create, delete, open and modify objects within the filesystem. *Id.* Changing from one filesystem type to another filesystem type generally involves changing the metadata (or its internal structure) that accompanies each object within the filesystem. *Id.* Conventional conversion methods require shutting down access to the filesystem during the conversion process. *Id.* The currently pending claims for converting from one filesystem type to another are not directed to the actual mechanics of translating metadata; but, instead, are directed to translating metadata while maintaining the filesystem in a full operational capacity.

For the convenience of the Board, claims 1, 32, 37, and 42, the independent claims have been reproduced below and annotated with references to the specification and drawings to satisfy the requirement to concisely explain the claimed subject matter:

Independent Claim 1

A method for maintaining a data structure corresponding to an object having a first link from a first directory and a second link from a second directory in a filesystem, Page 30, Lines 2-7 the object to which the data structure corresponds being selected from the group consisting of a file and a directory in the filesystem, Page 25, Line 17 to Page 26, Line 18 the first and second directories being parent directories to the object to which the data structure corresponds Page 25, Line 17 to Page 26, Line 18, Page 30, Lines 2-7 and FIG. 10, the method comprising the steps of:

storing in the data structure a first anchor point for the object that references the first directory, said first directory implemented on a first filesystem type; Page 30, Lines 8-17

storing in the data structure a second anchor point for the object that references the second directory, said second directory implemented on a second filesystem type different than the first; Page 30, Lines 8-17 and

concurrently with storing the first and second anchor points, converting the first filesystem type to the second filesystem type Page 12, Line 20 to Page 13, Line 13 including activating the second directory and deleting the first directory Page 25, Line 10

to Page 28, Line 9 and FIGS. 9A-9F while maintaining the filesystem in a full operational capacity. Page 12, Line 20 to Page 13, Line 13.

Independent Claim 32

A program product, Page 10, Lines 4-22 comprising:

a computer readable medium; Page 10, Lines 4-22 and

a program code Page 10, Lines 4-22 configured for maintaining a data structure corresponding to an object having a first link from a first directory and a second link from a second directory in a filesystem, Page 30, Lines 2-7 the object to which the data structure corresponds being selected from the group consisting of a file and a directory in the filesystem, Page 25, Line 17 to Page 26, Line 18 the first and second directories being parent directories to the object to which the data structure corresponds, Page 25, Line 17 to Page 26, Line 18, Page 30, Lines 2-7 and FIG. 10 the program code resident on the computer readable medium and further configured to store in the data structure a first anchor point for the object that references the first directory, said first directory implemented on a first filesystem type, Page 30, Lines 8-17 store in the data structure a second anchor point for the object that references the second directory, said second directory implemented on a second filesystem type different than the first, Page 30, Lines 8-17 and concurrently with storing the first and second anchor points, convert the first filesystem type to the second filesystem type Page 12, Line 20 to Page 13, Line 13 including activating the second directory and deleting the first directory Page 25, Line 10 to Page 28, Line 9 and FIGS. 9A-9F while maintaining the filesystem in a full operational capacity. Page 12, Line 20 to Page 13, Line 13.

Independent Claim 37

A program product, Page 10, Lines 4-22 comprising

a computer readable medium; Page 10, Lines 4-22

a data structure configured to be maintained by an operating system and corresponding to an object having a first link from a first directory and a second link from a second directory in a filesystem, Page 30, Lines 2-7 the object to which the data structure corresponds being selected from the group consisting of a file and a directory in the filesystem, Page 25, Line 17 to Page 26, Line 18 the first and second directories being parent directories to the object to which the data structure corresponds, Page 25, Line 17 to Page 26, Line 18 Page 30, Lines 2-7 and FIG. 10, the data structure comprising:

a plurality of attributes related to the object; Page 11, Line 17 to Page 12, Line 19, Page 24, Lines 7-14, Page 24, Line 15 to Page 25, Line 9, and Page 32, Line 5 to Page 33, Line 3;

a first anchor point that references the first directory, said first directory being of a first filesystem type; Page 30, Lines 8-17 and

a second anchor point that references the second directory, said second directory being of a second filesystem type different than the first; Page 30, Lines 8-17

program code resident on the computer readable medium and configured upon execution to access the data structure, and concurrently with accessing the data structure, further configured to convert the first filesystem type to the second filesystem

type Page 12, Line 20 to Page 13, Line 13 including activating the second directory and deleting the first directory Page 25, Line 10 to Page 28, Line 9 and FIGS. 9A-9F while maintaining the filesystem in a full operational capacity. Page 12, Line 20 to Page 13, Line 13

Independent Claim 42

An apparatus Page 7, Line 12 to Page 9, Line 5 comprising:

a processor; Page 8, Lines 1-10 and

a program code Page 10, Lines 4-22 configured to be executed by the processor to maintain a data structure corresponding to an object having a first link from a first directory and a second link from a second directory in a filesystem, Page 30, Lines 2-7 the object to which the data structure corresponds being selected from the group consisting of a file and a directory in the filesystem, Page 25, Line 17 to Page 26, Line 18 the first and second directories being parent directories to the object to which the data structure corresponds, Page 25, Line 17 to Page 26, Line 18, [0074] and FIG. 10 the program code further configured to store in the data structure a first anchor point for the object that references the first directory, said first directory implemented on a first filesystem type, Page 30, Lines 8-17 store in the data structure a second anchor point for the object that references the second directory, said second directory implemented on a second filesystem type different than the first, Page 30, Lines 8-17 and concurrently with storing the first and second anchor points, convert the first filesystem type to the second filesystem type including activating the second directory and deleting the first directory while maintaining the filesystem in a full operational capacity. Page 12, Line 20 to Page 13, Line 13.

Other support for the claimed subject matter may generally be found in FIG. 11 and the accompanying text at Page 31, Line 2 to Page 32, Line 4 of the application. In addition, it should be noted that, as none of the claims recite any means plus function or step plus function elements, no identification of such elements is required pursuant to 37 CFR §41.37(c)(1)(v). Furthermore, there is no requirement in 37 CFR §41.37(c)(1)(v) to provide support for the subject matter in the separately argued dependent claims, as none of these claims recite means plus function or step plus function elements, and so no discussion of any of these claims is provided.

CONCLUSION

Applicant respectfully requests that the Board reverse the Examiner's rejections of claims 1-7 and 28-47, and that the Application be passed to issue. If there are any questions regarding

the foregoing, please contact the undersigned at 513/241-2324. If any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,

July 16, 2010
Date

/Scott A. Stinebruner/
Scott A. Stinebruner
Reg. No. 38,323
WOOD, HERRON & EVANS, L.L.P.
2700 Carew Tower
441 Vine Street
Cincinnati, Ohio 45202
Telephone: (513) 241-2324
Facsimile: (513) 241-6234